



7136 02/27/06

\$5,000.00 ✓

OFFICE OF
INSURANCE COMMISSIONER

In the Matter of:

No. D 05-422

AETNA HEALTH, INC.,

CONSENT ORDER
IMPOSING A FINE

An Authorized Health Care
Service Contractor

Findings of Fact:

1. Aetna Health, Inc. ("Aetna") is authorized to conduct the business of a health care service contractor in the State of Washington. It issues and renews individual health benefits plans.
2. RCW 48.44.017(5) requires any health care service contractor issuing or renewing individual health benefit plans in this state during the preceding calendar year to file for review by the Commissioner supporting documentation of its actual loss ratio for its individual health benefit plans offered or renewed in this state in aggregate for the preceding calendar year. This documentation must be filed with the Commissioner by the last day of May each year, following the calendar year which is the subject of the documentation. The statute became effective on March 23, 2000.
3. Aetna failed to timely file its documentation for calendar years 1999, 2001, 2002, 2003, and 2004. That documentation was filed on June 1, 2000; July 2, 2002; and refiled on October 24, 2002, because the July 2 filing containing inaccurate information; June 24, 2003; June 24, 2004; and June 27, 2005, respectively.

Conclusions of Law:

1. Aetna's failure to timely file its calendar year loss ratios for 1999, 2001, 2002, 2003, and 2004 constituted five violations of RCW 48.44.017(5).
2. RCW 48.44.166 authorizes the Commissioner to impose a fine of \$1,000 per violation of Chapter 48.44 RCW, in addition to or in lieu of suspension or revocation of the registration of any health care service contractor.

Consent to Order:

1. Aetna Health, Inc. consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of Aetna's payment of a fine as set forth below.

Mailing Address: P.O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501

2. Aetna Health, Inc. consents to the entry of the foregoing Findings of Fact and Conclusions of Law and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. Aetna Health, Inc. waives further administrative or legal challenges to the actions taken, or to be taken, by the Insurance Commissioner related to the subject matter of this order.
3. Within thirty days of this Order, Aetna Health, Inc. will pay to the Insurance Commissioner a fine in the amount of \$5,000 (five thousand dollars).
4. Failure to pay the fine timely and in full will constitute grounds for the suspension or revocation of the certificate of registration held by Aetna Health, Inc. in the state of Washington. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 7th day of February, 2006.

AETNA HEALTH, INC.

By: 

Printed Name: CURTIS L. TERRY

Printed Corporate Title: Regional Manager

Order:

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

1. Aetna Health, Inc. is ordered to pay, within thirty days of the entry of this Order, a fine in the amount of \$5,000 (five thousand dollars).
2. Failure to pay the fine timely and in full will constitute grounds for suspension or revocation of the certificate of registration held by Aetna Health, Inc. in the State of Washington. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 8th day of February, 2006

MIKE KREIDLER
Insurance Commissioner

By: 

Marcia G. Stickler
Legal Affairs Division